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Facsimile Cover Sheet**To: Examiner Manning****Fax No. 703-746-9695****From: Jeramie Keys
Withers & Keys, LLC****Fax No. 678-565-4749****Date: August 19, 2004****2 pages : cover, power of attorney****Application No.: 09/750,105****Message Text:****Examiner Manning,**

As discussed on the phone, I am providing an agenda for our teleconference/interview scheduled for Tuesday the 24th for this case. I have included a copy of an executed power of attorney for this case with this fax showing that I am an attorney of record.

Agenda:

Discuss Hite reference and its perceived deficiencies relative to subject matter of the present invention. These include:

-failure to disclose the end user device initiating a ~~transmission to an external~~ server to thereby request content, such as in claim 17. The Examiner says it is inherent but it is just as likely if not more likely that Hite uses the dedicated satellite or wireline connection to force downloads to the display site without a request since the only upstream disclosure is for sending registration and certification codes.

-failure to disclose requests from the display site that specify location, content of interest, ID of set top box, and other information used to select commercials to return to the end user, as in claims 18 and 19. See above re limits of upstream.

- failure to disclose audio tones as the signal as in claim 21. Only CIDs in Hite.

Further discuss the validity of 103 rejections where Hite does not teach the element of the claim but there is a general assertion of obviousness based on Hite without pointing to any teaching of a prior art reference. Application of hindsight based on the present application must be avoided.

Thanks,**Jeramie Keys, 42,724**

PTO/SB/81 (09-03)

Approved for use through 11/00/2005. OMB 0651-0035

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INDICATION FORM**

Application Number	09/750,105
Filing Date	December 29, 2000
First Named Inventor	Rogers et al.
Title	System & Method for Managing Transaction Messages in Computer Networks
Art Unit	2614
Examiner Name	J. Manning
Attorney Docket Number	20000.0050US01 (BS00-130)

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

Name	Registration Number
James D. Withers; Jeramie J. Keys	40,376; 42,724
Matthew Todd Mitchem	40,731
Geoff Sutcliffe	36,348
Jennifer Medlin	41,385

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name: Jacquolino Gregorsky, Vice-President, Patent & Trademark Procurement, BellSouth Intellectual Property Corporation

Signature: *Jacqueline Gregorsky*

Date: 8-2-04 Telephone: 404.249.2790

NOTE: Signatures of all the inventors or assignors of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

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